

**Burns Harbor Redevelopment Commission
Minutes of Tuesday, May 17, 2016**

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a special workshop on Tuesday, May 17, 2016 in the Town Hall to discuss a proposed Food Truck Village. The meeting was called to order by Redevelopment Commission President, Marcus Rogala at 6:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Commissioner (Nick) Loving	Present
Commissioner (Toni) Biancardi	Present
Commissioner (Andy) Bozak.....	Present
Commissioner (Eric) Hull.....	Absent
Commissioner (Marcus) Rogala.....	Present
Commissioner (Ralph) Ayres (non-voting member).....	Honorary

Additional Officials Present

Attorney-Clay Patton, Economic Development Director-Joseph Rurode, Grants Developer-Tina Rongers.

Any other business to come before the RDC

None

Create the structure and logistics of the proposed Food Truck Village

a. Target Date and Rezoning for Start Up

Commissioner Rogala states he called Commissioner Hull before the meeting to discuss the best start-up date for the Food Truck Village and Commissioner Hull expressed he would like to begin Memorial Day weekend. Commissioner Rogala stated he thought that would be too early and wanted to get feedback from other Commissioners at the meeting.

Commissioner Bozak stated the Commission should start sooner rather than later if we moved the location to Lakeland Park, contending that the park would be better since it has capability for power, restrooms, a place for entertainment and argued it's a lot prettier than Westport. A date of June 10 was suggested, however, committee members expressed that it was only 24 days away and felt it was too soon.

Commissioner Rogala stated he would like to pick a date and everything else would fall in place after that has been done. Commissioner Rogala asks Rurode for a suggestion on a date. Rurode replied we need to do this right versus doing it too soon and not have it being completed or having a memorable experience attached to it.

Commissioner Biancardi suggested July so as not to interfere with Footloose. She also suggested we can promote it at the Footloose and invite people to come back to the Food Truck Village.

Commissioner Loving asked if we are set for Friday nights. Commissioner Rogala expressed we should start on a Saturday and asked the commission for their thoughts.

Westphal, a Plan Commission board member asks if we have a list of vendors we are planning to target. She also questions if we are going to request a deposit from vendors to ensure they will show up. She expressed if a deposit is secured the vendors would more than likely show up.

Commissioner Bozak states he has been following vendors on Facebook and expressed he is worried about the ability to secure vendors for July as he sees them filling their calendars very quickly.

Commissioner Biancardi states we are running up against their calendars and is sure they are filling up for the summer. However, she believes a new location may be attractive to people as well and they will want to go to different places. She also states we will have different vendors every weekend to fit their schedule and give them the option to come.

Commissioner Rogala stated that July 9 would be a good start date and as we try to book vendors we could decipher which days, Friday, Saturday, Sunday, we do each weekend too.

Commissioner Biancardi suggests obtaining an assembly permit for six weeks rather than trying to do something permanent.

Attorney Patton remarks the permit application includes fourteen points which have to be included for such an assembly, and refers to specific **bolded** items.

15-15-3B.

The application must include the following:

1. *The full name, age, residence, and mailing address of the applicant; including the names and addresses of all partners if the applicant is a partnership, or the names and addresses of all officers and all persons owning more than a ten percent (10%) stock or member interest, if the applicant is a corporation or limited liability company.*
2. *A legal description and common address of the premises upon which the assembly will occur, together with the names and mailing addresses of all persons owning an interest in the premises, stating the nature of the interest and identifying the size of the premises on which the assembly will occur.*
3. *The nature and purpose of the assembly, the proposed dates and times during which the assembly will be conducted, and a detailed statement of the manner in which it will be conducted.*
4. *The maximum number of persons that the applicant will permit to assemble on the premises at any time during the assembly.*
5. *The plans of the applicant to limit and control admission to the premises to the maximum number of persons permitted.*
6. *A description of the existing infrastructure, together with plans for the proposed construction and management of sewage, garbage and waste disposal; the source of water supply and plans for water distribution; the provision and management of health care services; the methods of fire protection; the means and plans for emergencies and emergency evacuation and traffic control to be implemented during the assembly and approved by the Town of Burns Harbor Fire Chief.*
7. *The number, location, and power levels of amplifiers and speakers, and the plans for sound control during the assembly, if applicable, identifying the inclusive times during which music will be played or loudspeakers will be in use.*
8. *The proposed method of lighting to be used during the assembly, and plans for lighting control during the assembly, if applicable.*
9. *Plans for the maintenance of security and order on the premises, including the proposed number, deployment, and hours of availability of security by a sworn police officer. It shall also be required that one such officer for every fifty (50) persons on the premises be provided prior to, during, and immediately after the close of the assembly, at the applicant's sole expense.*
10. *Plan for the preparation and distribution of food and refreshments on the premises, along with a copy of the appropriate health department permit.*
11. *Plans for communications to the premises are made reasonably available to persons attending the assembly, and also to law enforcement and security personnel, and agents of the County.*
12. ***A list of adjoining property owners within five hundred (500) feet of the property intended to be used for the assembly.***
13. *Proof of liability insurance in an amount not less than \$1,000,000.00 of liability insurance, issued by a company acceptable to the Town of Burns Harbor, Indiana, in favor of the applicant and naming the Town of Burns Harbor as an additional insured.*
14. *A permit fee for the purpose of defraying the costs of administration in reviewing the permit application as set forth in section 15-15-5(B).*

15-15-5.

An application for an assembly pursuant to the terms and provisions of this Ordinance shall be reviewed and approved in the following manner:

- A. *The application with all other required documents shall be submitted to the Town Clerk-Treasurer.*
- B. **A permit fee shall be paid based upon the following schedule:**

Number of attendees	Permit fee
More than 100 but less than 1,000.....	\$100
<i>More than 1,000 but less than 2,000</i>	<i>\$200</i>
<i>More than 2,000 but less than 5,000</i>	<i>\$300</i>
<i>More than 5,000 but less than 10,000</i>	<i>\$400</i>
<i>10,000 or more.....</i>	<i>\$500</i>
- C. *The Clerk-Treasurer shall deliver a copy of the application to the Town Marshal, the Town Fire Chief, the Town Street Commissioner, and each member of the Town Council.*
- D. **The Town Marshal, the Town Fire Chief, and the Town Street Commissioner shall, within ten (10) days of receipt of said application, investigate the adequacy of the plans of the applicant and be prepared to make recommendations with respect to said plans to the Town Council.**
- E. *The Clerk-Treasurer shall schedule the applicant and the application on the agenda of the next meeting of the Town Council, which will occur more than fifteen (15) days after submission of the application. The applicant shall provide notice that the application will be heard by the Town Council to the adjoining property owners listed by the applicant in accordance with Section 15-15-3(B)(12) and shall present proof of such service to the Town Council.*
- F. **The Town Council shall discuss the application with the applicant at its next Town Council meeting scheduled for more than fifteen (15) days after submission of the application and either approve the application as submitted, approve the application as modified, or reject the application.**

Commission Biancardi asks Attorney Patton if it looks feasible for the six-week Food Truck Village temporary permit.

Kuchta, Global Engineering informs Attorney Patton he has concerns about 15.15.1D

“Permittee” shall mean an individual, partnership, corporation, or any other association of individuals, partnerships or corporations who has been issued a permit pursuant to this Section.

Kuchta asks could the Town apply for that. He also asks if the Town would qualify as a potential Permittee?

Attorney Patton says yes, the particular situation is cited because of the way the property is zoned, which is currently residential. Attorney Patton also states he would be representing the applicant, RDC, at the same time and under the scope you see in 15-15-5.F. above. Attorney Patton states this would be fast-tracking the process. We submit the application, the Town gives its approval and we’re good to go as opposed to a variance which involves going before the BZA or the Plan Commission.

Commissioner Biancardi states that this would apply to this situation and at this point it’s not something permanent so she doesn’t think is necessarily appropriate to ask for a variance or a rezoning at this point. That is why I would suggest an assembly permit.

Commissioner Rogala questions Attorney Patton on whether we should file for the permit and if we pursue the BZA for the variance and that goes through, is the variance a one-time thing? Commissioner Rogala states if we get the permit and still try for the variance then it will be taken care of in the future.

Attorney Patton replies the permit is for specific days, the variance is forever. Attorney Patton replies that application must be received within 45 days prior to the date of the event. The July 9th date would require an application within the next week of ten days to meet that deadline.

Commissioner Bozak again promotes having the Food Truck Village at Lakeland Park since we wouldn’t have to deal with the permits and variances this year. The park provides all the amenities lacking at the Westport site He suggests having it at Lakeland this year and then moving it to Westport next year.

Rongers communicates to Commissioner Bozak that it is necessary that the village start at Westport. The whole idea is “creating a sense of place” at the Westport location. The economic development grants the RDC will be able to apply for in the fall will be the focus of the story the town is trying to create. If the food trucks start at the park this year and then move Westport next year nullifies the story. “The focal point to build the downtown is Westport. It will be the heart of the community and create connections. The park location moves us away from the centrality of the town. The park doesn’t leverage our assets. Westport will be able to tie into the Marquette Greenway Trail and will connect us to the National Park and the Little Calumet River which is connected to Lake Michigan and the larger regional connection perspective. This multiplies the potential for further economic growth.

Rongers understands the concept of starting the project at the park but that shifts us out of the economic development framework which we are trying to activate and begin our story here. Rongers refers to Rurode’s vision of starting small and then scale up. It really is key that the story begin at Westport. It would be difficult from an economic development standpoint to go to our partners and other grant opportunities to say this is our vision for this site but we started at another location. That would be a disconnect for them. This is not an easy story to tell since it doesn’t make sense.

Commissioner Bozak states he realizes the grants are important but made a motion to put the food trucks at the park.

Rongers states that for developing the future of our town, it is our “once upon a time” we started a Food Truck Village at the corner of Haglund and 149 and today it is part of our community.

Commissioner Bozak’s motion died due to a lack of a second.

Burns Harbor Storage owner Allen Geck, 723 Timber Court, Chesterton, Indiana attended the meeting to express a willingness to help the town. He expressed that an aerial view of the town suggested his storage property was designated the downtown area at one time. He expressed he owns a couple of acres that he would like reduction in taxes or to sell to the property to the town.

The Commission thanked Mr. Geck for his input but the focus of the downtown area would be at Haglund and 149.

Commissioner Rogala requests an assembly permit and then we go before the BZA for a variance to have the Food Truck Village at Haglund and 149.

Commissioner Biancardi states the long-term plan is to have the Container Village at that location and she feels we are doing double work if we apply for an assembly permit now and rezone later.

Attorney Patton suggests the RDC work with engineer to determine that everything we want will be allowed in the current zoning.

Attorney Patton and Kuchta of Global Engineering and RDC commissioners decided they would need to complete an assembly permit and return it to the town as opposed to getting a variance. The site is currently zoned residential and Kuchta recommended not to rezone the property until the container village or another permanent structure is put in.

Commissioner Rogala requests Clerk Treasurer Jordan to start the permit process. Clerk Treasurer Jordan states this will be the first time a permit has been requested and would need to be approved by the Town Council in June.

b. Staffing, Volunteers, and overall Budget

Commissioner Rogala states he will be proposing a specific budget for the Food Truck Village at the June RDC meeting and is hoping to save costs by using volunteers instead of staffing. We should have a better idea of what vendors are coming, what we need to supply and then we can go from there as far as the budget is concerned. He suggests families, friends and neighbors. There are a number of people in the audience and asks everyone to get the word out. We have 4H, the boy scouts. There are tons of organizations out there that would put in volunteer time and we can seek those organizations out to help us. We need to get the community involved because that is why we are doing this in the first place.

c. Times and Dates

Commissioner Rogala states July 9 as the start date. RDC commissioners at first agree that Saturdays would be more than enough to start with. Commissioner Rogala states we should list Friday, Saturday and Sunday on the permit and we can remove dates and times as we go along. Weather permitting will also be listed in the permit. If weather is an issue the event would be cancelled and there would be no make-up dates.

Attorney Patton said the permit form would be acceptable as long as the RDC fills out all the dates and times. Commissioner Rogala states the times allowed for trucks on Fridays would be 5 to 10 p.m. Saturdays will be 11 a.m. to 11 p.m. Sundays will be from 12 to 7 p.m. The town's noise ordinance states that events can go to 11 p.m. on weekends.

d. Vendors to target

Commissioner Rogala states we do not want to promote this as a festival but a Food Truck Village and says Rurode has an idea of what we are going to look for as far as vendors. Commissioner Rogala says he was thinking of starting out with maybe three or four food trucks. We can promote this at the Footloose event on June 25th to generate some buzz. Commissioner Rogala suggests a variety of food for sale such as pretzels, elephant ears or pizza (there are a number of vendors on our list) and beverages, including alcohol from a local brewery or winery. Attorney Patton comments that vendors who sell alcohol should be responsible for having their own permits.

e. Activities, Entertainment, etc.

Commissioner Rogala states we basically have to pursue activities and entertainment the same way as the vendors. He mentions acoustic bands, big screens for sporting events, movies or Olympics. Westchester Public Library Director Leea Yelich offers to help with movie lists and outdoor movie licenses. Clerk Treasurer Jordan states we have residents who have bands. Commissioner Biancardi states the high school has jazz bands.

f. Marketing, Advertising, etc.

Commissioner Rogala if we want to be successful we have to sell this with advertising, posters, social media, newspapers and just getting out the word. This can also be promoted at the Memorial Day parade in Portage. We have promoted Footloose in that manner and can ask to be promoted in the handouts provided at the parade. Communications Director Ziulkowski will handle most of the marketing and advertising but any ideas from the public are welcome. This is not only for the people coming, but for vendors and entertainment as well.

g. Vendor Lease and Vendor Fee

Commissioner Rogala states we have an idea through Footloose regarding vendor leases and fees. Commissioner Hull suggests doing a discounted rate to attract the vendors to come, or possibly give a discounted rate if they sign up for all our dates, or possibly for the first couple of times we not even charge the vendors to come in and just have them under a lease agreement. We are not interested in providing a full season free of charge. For example, referencing Footloose, the fee for one vendor for five hours is \$125.00. The idea is to create a sense of place, not to make money. Commissioner Loving states we shouldn't charge at all, just have them come. Rurode states this is something we can look at doing now but later on down the line we will realize a different perspective. Samuel Falbo suggested a sliding scale fee in case we are very successful.

h. Alcohol Permit

Commissioner Rogala states the town may have a permit for alcohol.

Kuchta states vendors who sell alcohol would have to their own licenses and permits and would need fenced in areas and exclusion zones for persons 21 and over. The vendors would deal with the police if necessary.

Attorney Patton states it would remove a huge burden for the town if vendors who sell alcohol be responsible for having their own licenses and permits. For the town to sell alcohol would involve insurance, volunteers who would need temporary permits submitted to the State and believes our time would be better spent elsewhere.

i. Sponsors

Commissioner Rogala asks if we want to seek sponsors to defray costs. For example, sponsoring a pavilion or an eating area or resident purchasing a picnic table with their name on it. He is looking for people to help develop the concept.

j. Logistics

Commissioner Rogala states this item can wait since it relates to how we will set up the site and there are still questions about the layout.

k. Food Truck Event Committee

Commissioner Rogala states that Rurode will be the lead for the Food Truck Village committee and will be doing a lot of work with this. Commissioner Rogala requests to set up an actual committee of two individuals. Commissioner Bozak volunteers as well as Commissioner Rogala. Commissioner Biancardi states she will be available if needed.

l. Any other items to be addressed

Commissioner Rogala requests Rurode look for vendors that already have electricity or look at getting generators to see how much it's going to cost.

Commissioner Rogala asks Kuchta to talk to Khalil about lists of vendors they have throughout Michigan City to collaborate with our lists and to forward to Rurode.

Commissioner Biancardi mentions that Commissioner Loving and Rogala along with Rurode take the ideas from tonight's meeting and come back to the committee on June 8 with more specifics.

Commissioner Biancardi states that we should then go forward with the application for the permit. Attorney Patton states yes if everything in the ordinance is included in the permit.

Public Comment

None

Adjournment

Commissioner Biancardi made a motion that we adjourn. Commissioner Bozak seconded the motion. Commissioner Biancardi–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Rogala–Aye. Motion passed.

The meeting concluded at 7:40 p.m.

APPROVED on June 8, 2016

REDEVELOPMENT COMMISSION
FOR THE TOWN OF BURNS HARBOR

Marcus Rogala, President

Andrew Bozak, Vice President

Toni Biancardi

Eric Hull

Nick Loving

ATTEST:

Marge Falbo, Recording Secretary